



CITY OF BRAWLEY

PLANNING DEPARTMENT
400 MAIN ST. - PLAZA PARK
BRAWLEY, CALIFORNIA 92227
PHONE: (760) 344-8822
FAX: (760) 344-0907

March 28, 2012

Ms. Jennifer Seeger
Department of Housing and Community Development
Division of Housing Policy Development
1800 3rd Street, Room 430
Sacramento, CA 95814

Re: City of Brawley Housing Element 2011 Annual Progress Report

Dear Ms. Seeger:

Please find enclosed the Housing Element Annual Progress Report for the City of Brawley, California. We appreciate your acceptance of this report and look forward to working with you in the future.

Cordially,

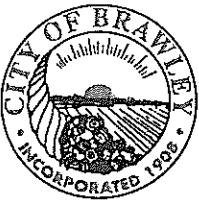
A handwritten signature in black ink, appearing to read "Gordon R. Gaste".

Gordon R. Gaste, AICP
Planning Director

Housing Policy Department
Received on:

APR 02 2012

GRG:crm



CITY OF BRAWLEY

PLANNING DEPARTMENT
400 MAIN ST. - PLAZA PARK
BRAWLEY, CALIFORNIA 92227
PHONE: (760) 344-8822
FAX: (760) 344-0907

March 31, 2012

Honorable Mayor and Members of the City Council
383 Main Street
Brawley, CA 92227

Subject: Annual Planning Report and Status of the General Plan for the Year 2011

Dear Council Members:

California planning law requires that each City prepare an annual report to its legislative body on the status of the General Plan and progress in its implementation. The Planning Department herewith respectfully submits the 2011 Annual Report and the Status of the General Plan.

The purpose of the report is to ensure that the General Plan directs all land use decisions and remains an effective guide for future development. The report provides the City Council and Planning Commission with information regarding implementation of the General Plan.

The annual report also explains the status of the plan and progress in its implementation, including the progress in meeting the City's share of regional housing needs determined pursuant to Section 65584 of the Government Code and the City's efforts to remove constraints to the maintenance, improvement, and development of housing pursuant to Paragraph (3) of Subdivision (c) of Section 65583 of the Government Code.

Please call 760-344-8822 for further information or if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Gordon R. Gaste".

Gordon R. Gaste, AICP
Planning Director

cc: Office of Planning and Research
 Department of Housing and Community Development
 Planning Commission
 City Manager
 City Clerk
 Department Heads

CITY OF BRAWLEY ANNUAL PLANNING REPORT AND STATUS OF THE GENERAL PLAN 2011

Submitted To: City of Brawley City Council
383 Main Street
Brawley, California 92227

City of Brawley Planning Commission
383 Main Street
Brawley, California 92227

Governor's Office of Planning and Research
State Clearinghouse and Planning Unit
P.O. Box 3044
Sacramento, California 95812-3044

Department of Housing and Community Development
Housing Policy Division
1800 Third Street, Room 430
Sacramento, California 95814

Prepared By: City of Brawley Planning Department
400 Main Street
Suite 2
Brawley, California 92227

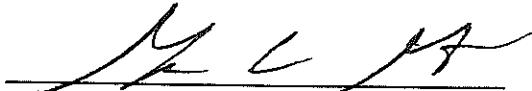
Date Submitted: March 31, 2012

I. EXECUTIVE SUMMARY

The annual planning report and status of the General Plan for the calendar year 2011 is hereby submitted to the City of Brawley City Council, Planning Commission, and State Office of Planning and Research (OPR).

During the 2011 Calendar Year, the staff, the Planning Commission, and the City Council addressed a variety of challenging and progressive land-use related projects and/or issues. Applications are consistent with last year's levels.

As Director of the Planning Department, I sincerely thank the City Council and the Planning Commission for their assistance and support in my eighth full year with the City of Brawley. A sincere thank you is also given to the staff of the Planning Department, Community Development Services, and Public Works Department for their coordination and assistance in carrying out the year's projects. A particular thank you is also given to the members of the Development Review Committee (DRC) for working with the Planning Department on all the projects listed herein.



Gordon R. Gaste, AICP
Planning Director

III. CITY COUNCIL ROLE AND RESPONSIBILITY

The City of Brawley is a General Law City operating under the laws of the State of California. There are five (5) Council members elected at large who serve four-year terms. This Council is the community legislative body. It sets policy, approves the budget, and determines tax rates.

2011 Brawley City Council

George Nava (Mayor)

Sam Couchman (Mayor Pro-Tempore)

Don C. Campbell

Ryan E. Kelley

Miguel C. Miranda

V. DEVELOPMENT REVIEW COMMITTEE ROLE AND RESPONSIBILITY

The Development Review Committee (DRC) is an internal decision-making body that consists of six (6) voting members representing the following departments:

- Planning
- Community Development Services
- Public Works
- Police
- Fire
- Parks and Recreation

The Committee also consists of advisory members to include the following:

- Administrative Services
- Library
- Brawley Airport Advisory Commission
- Utilities (Imperial Irrigation District, Southern California Gas Company, Time/Warner Communications, AT&T, Union Pacific Railroad, Imperial Valley Telecommunications Authority)
- School Districts (Brawley Union High School District and Brawley Elementary School District)
- California Department of Transportation (CALTRANS) District 11
- California Fish & Game Region 6
- County of Imperial (LAFCO/ALUC/Planning & Development Service, Air Pollution Control District)
- Naval Air Facility – El Centro

The Department Heads serve on the committee or may choose alternates to represent their departments.

The role of the DRC is to make recommendations and decisions on projects subject to the California Environmental Quality Act (CEQA) and projects requiring close coordination with other agencies. It also approves site plans and adjustment plats not requiring a zone change, general plan amendment, conditional use permit, variance, or subdivision.

VII. LAND USE PERMITS

The City of Brawley processed a significant amount of land use applications. The applications have remained stable for the last three years.

Below are brief definitions of the various permits, standard procedures, and the number of permits processed during the 2011 Calendar Year. The definitions are not comprehensive; therefore, they should only be used as a reference.

Subdivision: Generally, a subdivision is any division of land for the purpose of sale, lease, or financing and is governed by the State Subdivision Map Act (Government Code, Section 66410).

Major Subdivision: With a few exceptions, a major subdivision is the division of five or more lots. During the 2011 Calendar Year, the Planning Department processed 0 Major Subdivision applications.

Minor Subdivision: A minor subdivision consisting of four or fewer parcels that requires a parcel map. During the 2011 Calendar Year, the Planning Department processed 0 Minor Subdivision applications.

Zone Change: Zoning is a state-mandated requirement and all properties within the City are classified into various zones or "zoning districts." Zoning regulations establish groups of permitted uses that vary from district to district. If a property owner desires to conduct a land use upon his property that is not permitted in the existing zoning district, he or she may apply for a Zone Change. During the 2011 Calendar Year, the Planning Department processed 0 Zone Change applications.

Conditional Use Permit: A procedure established whereby an applicant can request a certain land use to be permitted in an area in which it is not usually permitted by the Zoning Ordinance, and where such uses are deemed essential or desirable to the public convenience and welfare, and are compatible with the various elements or objectives of the General Plan. During the 2011 Calendar Year, the Planning Department processed 3 Conditional Use Permit applications.

Variance: A procedure established by state law and the ordinances of the City of Brawley whereby an applicant can request a deviation from the provisions of the minimum property development standards established relating to building height, lot area, structural coverage, building set backs, or accessory structures (e.g., carports, signs). During the 2011 Calendar Year, the Planning Department processed 3 Variance applications.

Adjustment Plat: Lot Line Adjustment and Lot Merger. These are required to adjust property lines between adjacent parcels when no new parcels are created. During the 2011 Calendar Year, the Planning Department processed 2 Adjustment Plat applications.

General Plan Amendment: During the 2010 Calendar Year, the Planning Department processed 0 General Plan Amendment applications.

VIII. THE GENERAL PLAN UPDATE

The City of Brawley, in 2008, prepared a revised General Plan that serves to guide future development. The Housing Element was also updated in 2008 and is being implemented to achieve the regional housing needs.

The objective of the General Plan is to promote orderly growth and development and to maintain and improve the kind of environment that makes Brawley an excellent place to live, work, and enjoy leisure time. The General Plan contains information on the physical, economic, and social environment of Brawley.

The California Government Code requires that the plan be long-term, clearly written, comprehensive, and the policies of the plan must be internally consistent.

The City of Brawley General Plan is an official statement by the City Council. It can be viewed as the constitution for the City's physical development, for the protection of the environment, and for the enhancement of the quality of life in Brawley. It is used by the Planning Commission and City Council to support their decisions on major land use, zoning, and future public/private projects. The General Plan policies and programs shall also provide information and guidance to the general public. In context, the General Plan addresses the following mandatory plans and other optional elements:

- Land Use Element
- Infrastructure Element
- Resource Management Element
- Open Space/Recreation Element
- Public Safety/Noise Element
- Economic Development Element
- Housing Element
- Implementation Element

The City's new Service Area Plan (SAP) and Sphere of Influence (SOI) were adopted in February 2007.

IX. HOUSING ELEMENT PROGRESS

ATTACHED

Program Implementation Status

Housing Programs Progress Report - Government Code Section 65583			
Name of Program	Objective	Deadline in H.E.	Status of Program Implementation
Program Description (Housing Element Program Names)	Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		
1.a.	Utilize the City's Updated General Plan Zoning Ordinance to provide adequate, suitable sites for the construction of new housing, reflecting a variety of housing types and densities. The City will make the land inventory available to the public at City Hall and will also post the inventory on the City's website. The City will publish the availability of the updated inventory at least annually.	2008-2014	Current and ongoing
1.b.	Zoning Ordinance revision to evaluate Second Dwelling Unit provisions that will eliminate the need for Condition Use Permit or other discretionary approvals in all residential zones, in accordance with State law.	2009 Fiscal Year	Complete
1.c.	Continue to use zoning and other land use controls to ensure the compatibility of residential areas with surrounding commercial and other non-residential uses.	2008-2014	Current and ongoing
1.d.	The Zoning Ordinance shall be revised to incorporate Density Bonus provisions, with options, as per SB 1818.	2009 Fiscal Year	Complete

Attachment 1

page 4 of 22

Name of Program	Objective	Deadline in H.E.	Status of Program Implementation
1.h.	Continue to utilize environmental and other development review procedures to ensure that all new residential developments are provided with adequate services and facilities are or will be provided shall be a condition for their approval.	2008-2014	Current and ongoing
1.i.	Housing data will be continuously posted on the City's web site and available in hard copy on request.	Beginning in 2008 and at least every 6 months thereafter	Current and Ongoing
1.j.	Continue to update elements of the General Plan, as needed	Pursuant to State law	In Compliance
1.k.	Brawley is currently in the process of updating the City's General Plan. The Updated General Plan will include data regarding the availability of infrastructure and service limitations, which inhibit housing development, and shall identify programs and sources to address short-term and long-term needs.	2008-2014	Complete
1.l.	Continue to offer a reduction in development fees and flexibility in development standards to stimulate the more intensive use of vacant residential land within walking distance of downtown Brawley through the implementation of the application of density bonuses.	2008-2014	Current and ongoing

Name of Program	Objective	Deadline in H.E.	Status of Program Implementation
2.a.	Publicize and provide financial assistance in the form of low interest and deferred payment loans for the rehabilitation of residences owned and/or occupied by lower income households.	Application to be made at the appropriate application deadline beginning in FY 2009-2010 throughout Housing Element period to 2014	Current and ongoing
2.b.	Allow for the construction of bedroom additions with financial assistance from the City's residential rehabilitation program, when needed to eliminate overcrowding. The City's noticing campaign will consist of publishing at least annually the availability of funds for bedroom additions as well as for other eligible activities. The campaign will also involve the provision of ongoing program progress (and remaining funds availability), to be posted in City Hall and be kept up to date.	2008-2014	Current and ongoing
2.c.	Continue to monitor housing conditions throughout the City, while periodically (i.e. every 5 years) conducting formal housing assistance/neighborhood improvement programs.	2008-2014 (As part of this Housing Element and at least every 5 years thereafter)	Current and ongoing

Attachment 1

page 8 of 22

Name of Program	Objective	Deadline in H.E.	Status of Program Implementation
	Continue to require that all new residential development complies with the energy conservation requirements of Title 24 of the California Administrative Code, and the City will encourage developers through a revised Subdivision Ordinance to employ additional energy conservation measures in an effort to exceed the minimum required standards, including but not limited to the specific example below.	2008-2014	Current and ongoing
3.b.	Sustainable Site development; Sustainable Site development; Water Savings; Energy Efficiency; Material Selection, and Indoor environmental quality.		
	Continue to allow energy conservation measures as improvements eligible for assistance under the City's residential rehabilitation program.	2008-2014	Current and ongoing
3.c.			
	Assist in distributing information to the public regarding free home energy audits and other programs of the Imperial Irrigation District (IID).	2008-2014	Current and ongoing
3.d.			
	Provide outreach material on state and federal fair housing laws and direct complaints or housing discrimination to appropriate enforcement agencies (i.e. State Department of Fair Employment and Housing and Imperial County Department of Weights, Measures, and Consumer Protection Affairs).	2008-2014	Current and ongoing
4.a.			

Name of Program	Objective	Deadline in H.E.	Status of Program Implementation
	<p>As part of the Governmental Constraints analysis for Housing Element update, the following revision to the City of Brawley Zoning Code was identified as appropriate to better facilitate the provision of a variety of housing types, and housing to address the needs of extremely low income households:</p> <p>4.f.</p> <p>Identify emergency shelters as a permitted use in the General Commercial Zone as indicated by the vacant land survey performed for this Housing Element. The City has in excess of 38 acres of vacant commercial land zoned C-1 through C-3 available throughout the City that would be available for emergency shelters.</p>	<p>Within one year of the adoption of the Housing Element</p>	Complete

Attachment 1

page 12 of 22

Name of Program	Objective	Deadline in H.E.	Status of Program Implementation
4.g.	The City shall establish streamlined permit processing procedures to expedite the development of homeless shelters as developments come under the consideration of the City through expediting the permitting process for homeless shelters.	2008-2014	Current and ongoing
4.h.	As part of the Governmental Constraints analysis for Housing Element update, the following revision to the City of Brawley Zoning Code was identified as appropriate to better facilitate the provision of farmworker housing. The City shall amend its zoning code within one year of the adoption of this Housing Element to be consistent with the provisions of Health and Safety Code Sections 17021.5 and 17021.6 (Employee Housing Act) with regard to allowances of farmworker housing within the City zones.		2011/2012 Fiscal Year Incomplete

Attachment 1

page 14 of 22

Name of Program	Objective	Deadline in H.E.	Status of Program Implementation
	<p>The City shall encourage concurrent processing of entitlements to foster an environment conducive to business, allowing various analyses and staff reports to be done at the same time, rather than requiring one process to be completed before beginning the next process, the City facilitates faster overall processing times. Department staff will notify applicants early in development process of this policy and place public notice of the City's policy on the web site.</p> <p>5.e.</p>	2008-2014	Current and ongoing
	<p>Explore, with local lending institutions, their possible participation in the creation of a loan pool for the construction, rehabilitation and/or purchase of housing affordable to low and moderate income households, as a means for them to fulfill their obligations under the Federal Community Reinvestment Act.</p> <p>6.a.</p>	2008-2014, in conjunction with preparation of CDBG HOME funding applications. (Meeting with local lenders shall be held at least annually to evaluate progress and encourage ongoing participation.)	Current and ongoing A loan fund for mortgage write-down assistance is available

Attachment 1

page 16 of 22

Name of Program	Objective	Deadline in H.E.	Status of Program Implementation
6.f.	Support the efforts of non-profit organizations, private developers, and the Imperial Valley Housing Authority to obtain State and/or Federal funds for the construction of affordable housing for lower income households. The City will be open to providing letters of support for funding applications; the City will also consider partnerships with non-profits for Utilization of Code Enforcement staff and Brawley Redevelopment staff to help write and to review project applications.	2008-2014	Current and ongoing
6.g.	The City shall annually apply or support development and rehabilitation applications for State and Federal funding for affordable housing, including the following funding sources: <u>Pursue Key Federal Affordable Housing Funding Sources:</u> Successful implementation of housing programs to create affordable housing depend on a community's ability to pursue additional funding sources. This program focuses on the six funding sources that are most pertinent to Brawley: CDBG and HOME, and RDA Programs - Section 515, Section 202, Section 514/516, and Section 523.	2008-2014	Current and ongoing

Name of Program	Objective	Deadline in H.E.	Status of Program Implementation
	<p>The state HCD administers the HOME program for non-entitlement jurisdictions and funding under the State is awarded on a competitive basis. Non-entitlement jurisdictions may apply for HOME funds in response to the Notice of Funding Availability. Each application is limited to \$1,000,000 in HOME funds.</p> <p><u>Section 515 Rental Housing</u> Program: The City is an eligible locality for RDA financing and the program has been well utilized in the City. More than 350 units in Brawley are affordable to lower income households as a result of Section 515 Financing.</p>		
	<p><u>Section 202 Homeownership Loan Guarantee Program:</u> This program provides direct loans for the purchase, relocation or rehabilitation of ownership housing to lower income households at interest rates as low as one percent. This program has been used in Brawley to provide several units occupied by lower income buyers.</p>		

Attachment 1

page 20 of 22

Name of Program	Objective	Deadline in H.E.	Status of Program Implementation
6.h.	California Housing Finance Agency (CFHFA): Assist in the production of new, affordable housing for purchase of moderate income, first-time homebuyers.	Ongoing	Current and ongoing
6.i.	Low Income Housing Tax Credits: Tax credits funds were available to assist in the construction of multi-family rental units affordable to low and moderate income households. The City will partner with developers to provide technical assistance to pursue tax credits for the construction of affordable units in the City.	Ongoing	Current and ongoing
7.a.	Actively support the Brawley and Imperial Valley Housing Authorities attempts to secure additional Section 8 rental assistance to lower income households.	2008-2014	Current and ongoing
7.b.	The City of Brawley will continue to utilize State and Federal funding sources such as HOME Program to assist at-risk units.	By 2009 (completed study of need for and possible content of anti-displacement ordinance)	Current and ongoing

Attachment 1

page 22 of 22

Name of Program	Objective	Deadline in H.E.	Status of Program Implementation
7.f.	If necessary, cause the removal and replacement of substandard units, which cannot be rehabilitated, through enforcement of applicable provisions of the Uniform Housing and Revenue and Tax Codes.	2008-2014	Current and ongoing
7.g.	Continue and expand code enforcement efforts, as necessary, and explore new methods of eliminating unsightly property conditions in residential areas.	2008-2014	2009 - Revised ordinances for better enforcement 2010 - Updated vehicle abatement and sign ordinance
7.h.	Avoid displacement of residents in carrying out CDBG funded activities, whenever possible, or otherwise provide appropriate relocation assistance.	2008-2014 (as needed)	Current and ongoing
7.i.	Continue to utilize the City's General Plan and Zoning Ordinance to prevent the encroachment of incompatible uses into established neighborhoods from incompatible land uses.	2008-2014	Current and ongoing